

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

TDS Long Distance Corporation	:	
	:	10-0661
Application for a Certificate of Wireless	:	
Authority to Operate as a Reseller of	:	
Telecommunications services in the State	:	
of Illinois.	:	

ORDER

By the Commission:

On November 18, 2010, TDS Long Distance Corporation ("Applicant") filed a verified application with the Illinois Commerce Commission ("Commission"), pursuant to Section 13-401 of the Public Utilities Act ("the Act"), (220 ILCS 5/13-401), for a Certificate of Service Authority to resell commercial mobile radio service ("CMRS") in Illinois. Section 13-401 of the Act (200 ILCS 5/13-401) provides that no telecommunications carrier shall transact any business in this state until it has obtained the required certificate of authority from the Commission. It further specifies that the Commission shall approve a cellular radio application for a Certificate of Service Authority without a hearing upon a showing by the Applicant that it has received an operating license or construction permit from the FCC to operate a cellular radio system in the area, or portion of the area, defined by the FCC for which Applicant seeks the Certificate. A hearing was held in this matter as Applicant disclosed it is not in possession of an operating license or construction permit by the FCC, because it intends only to resell CMRS to end-users in Illinois.

Pursuant to notice given in accordance with the rules and regulations of the Commission, this matter came on for hearing before a duly authorized Administrative Law Judge of the Commission at its offices in Chicago, Illinois on December 15, 2010. Paul Pederson, Applicant's State External Affairs Manager, Government and Regulatory Affairs, testified in support of the application. At the conclusion of the hearing on December 15, the record was marked "Heard and Taken".

Applicant, a Delaware corporation authorized to transact business in Illinois, submitted evidence that it has the technical, financial, and managerial resources and abilities to provide resold CMRS in Illinois. Applicant produced a Balance Sheet and an Income Statement as evidence that it has the financial resources to support the services it will offer in Illinois. Applicant also submitted the management profiles of its key officers to demonstrate their background in telecommunications and in business. Mr. Pederson testified that Applicant's personnel will be available at all times to furnish technical support to customers. He also stated that Applicant has not been denied a Certificate of Service or

had its certification revoked or suspended in any jurisdiction in this or any other name, and that Applicant would adhere to all federal and state regulations and statutes pertaining to slamming and cramming.

Applicant requests that the provisions of 83 Ill. Adm. Code 210, 220, 255, 285, 300, 305, 705, 710, 720, 725, 730, 735, 745, 755, 756, 757, 770 and 772 be waived or found inapplicable to it. The Commission has reviewed these rules and has found that the burden of fully complying with them would be unduly harsh and anti-competitive. The Commission determines, therefore, that these provisions should be waived or found inapplicable to Applicant.

Applicant also requested Commission approval pursuant to 83 Ill. Adm. Code 250 to maintain its books and records at its principal place of business in Wisconsin. Applicant's request should be granted in accordance with Section 5-106 of the Act.

The Commission, having reviewed the entire record and being fully advised in the premises, is of the opinion and finds that:

- (1) Applicant, a Delaware corporation authorized to transact business in Illinois, seeks a Certificate of Service Authority to provide resold commercial mobile radio service in Illinois, pursuant to Section 13-401 of the Act;
- (2) the Commission has jurisdiction over Applicant and the subject matter herein;
- (3) the recitals of fact and conclusions of law set forth in the prefatory portion of this Order are supported by the evidence of record and are hereby adopted as findings of fact and law;
- (4) Applicant possesses sufficient technical, financial and managerial resources and abilities to provide resold commercial mobile radio service in Illinois;
- (5) pursuant to Section 13-402 of the Act, the following Sections of 83 Ill. Adm. Code should be waived or declared inapplicable to Applicant: Sections 210, 220, 255, 285, 300, 305, 705, 710, 720, 725, 730, 735, 745, 755, 756, 757, 770 and 772;
- (6) pursuant to 83 Ill. Adm. Code 250, Applicant is authorized to maintain its books and records at its principal place of business in Wisconsin in accordance with Section 5-106 of the Act.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that TDS Long Distance Corporation be, and is hereby, granted a Certificate of Service Authority pursuant to Section 13-401 of the Act to provide resold commercial mobile radio service in Illinois.

IT IS FURTHER ORDERED that the Certificate of Service Authority hereinabove granted shall be the following:

CERTIFICATE OF SERVICE AUTHORITY

IT IS HEREBY CERTIFIED that TDS Long Distance Corporation is authorized pursuant to Section 13-401 of the Public Utilities Act to provide resold commercial mobile radio service in Illinois.

IT IS FURTHER ORDERED that the applicability of Commission rules with respect to TDS Long Distance Corporation is subject to any future Commission proceeding initiated to consider the applicability of such rules.

IT IS FURTHER ORDERED that the provisions of the Commission's Rules, identified in Finding (5) above, are hereby waived or declared inapplicable to TDS Long Distance Corporation.

IT IS FURTHER ORDERED that pursuant to 83 Ill. Adm. Code 250, TDS Long Distance Corporation is authorized to maintain its books and records at its principal place of business in Wisconsin in accordance with Section 5-106 of the Act.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 5th Day of January, 2011.

(SIGNED) MANUEL FLORES

Acting Chairman